
Public Notice

Applicant:

Beef Creek Marina

Date:

Published: July 26, 2002

~~Expires: August 24, 2002~~

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 94-505-4(0) Section: OH 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Dan Lora, Beef Creek Marina, 4385 North Rider Road, Oak Harbor, Ohio, has applied for Department of the Army authorization to construct a 150 linear foot concrete wall and perform associated backfilling at the confluence of the Toussaint River and Lake Erie, Carroll Township, Ottawa County, Ohio.

The purpose of the proposed wall is to increase the river flow rates through the Federal navigation channel. Higher flow rates may facilitate increased sediment suspension, thus allowing more sediment to exit at the river's mouth. This would aid in maintaining the existing Federal channel depth and width, and may reduce future dredging activities.

The predominant littoral transport direction for the project area is from west to east. The predominance is very strong and has created shoaling problems at the confluence of the river and lake.

Sand currently infills the Federal channel decreasing both the width and depth of the channel, thereby creating difficult and hazardous navigation conditions. This problem is further compounded by the possible presence of unexploded ordinance from Camp Perry which create additional safety concerns when performing dredging operations.

The proposed wall is to be placed across the "old river channel" spanning the distance between the mainland and an existing sand bar. The wall will be constructed by placement of pre-fabricated concrete blocks each of which are 2.5 feet wide, 2.5 feet thick, and 5 feet long. Two layers of these blocks will comprise the wall. The wall will be placed on a layer of stone bedding which will extend approximately 3 feet below the wall and 3 feet on each side of the wall. The stone will be placed in this area following excavation of a narrow trench which will contain the stone. Approximately 233 cubic yards of stone will be placed below the ordinary high water mark (573.4', IGLD-1985) for this component of the project. Stone used for the bed will be approximately 1 foot in diameter.

If grain size analysis reveals the material from the trench excavation is predominately granular and suitable for nearshore disposal, the material will be sidecast to the east of the proposed wall and used as backfill for the wall extending to the east. Additional granular material for backfilling will be obtained from maintenance dredging operations conducted by the Carroll Township Trustees which have Department of the Army authorization to dredge

the Federal channel at the confluence of the Toussaint River and Lake Erie. Material will be backfilled extending east of the proposed wall between the mainland and existing sand bar.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Harold T. Keppner, who can be contacted by calling (716) 879-4 120, or by e-mail at: harold.t.keppner@usace.army.mil

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Ms. Kim Baker
Ohio Department of Natural Resources
1952 Belcher Drive
Building C-2, Fountain Square
Columbus, Ohio 43224-1386
Telephone (614) 265-6411
FAX (614) 267-2981
e-mail: kim.baker@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Harold T. Keppner, or by e-mail at: harold.t.keppner@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including

cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

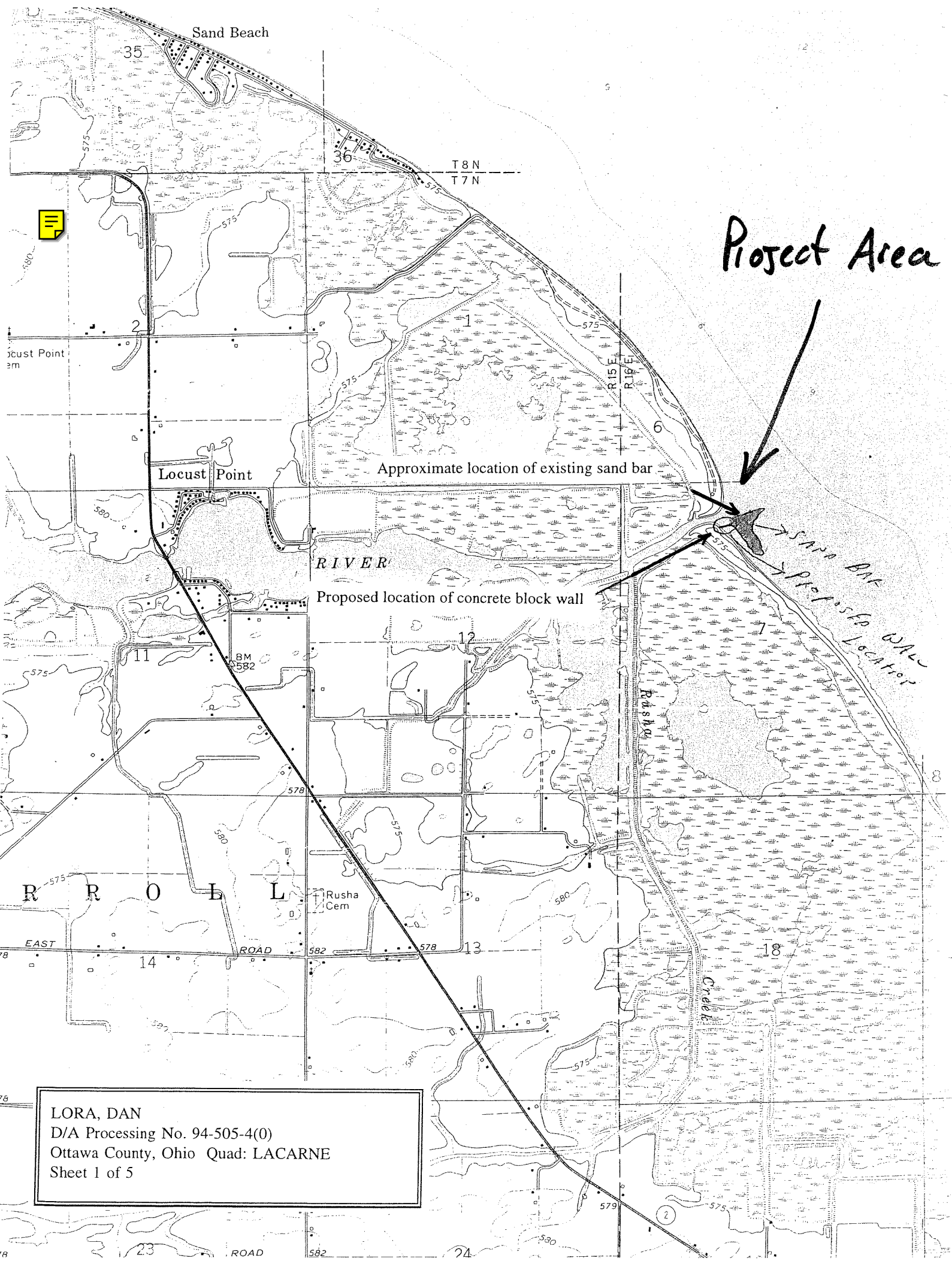
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for Paul G. Leuchner
Chief, Regulatory Branch

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Project Area

Approximate location of existing sand bar

RIVER

Proposed location of concrete block wall

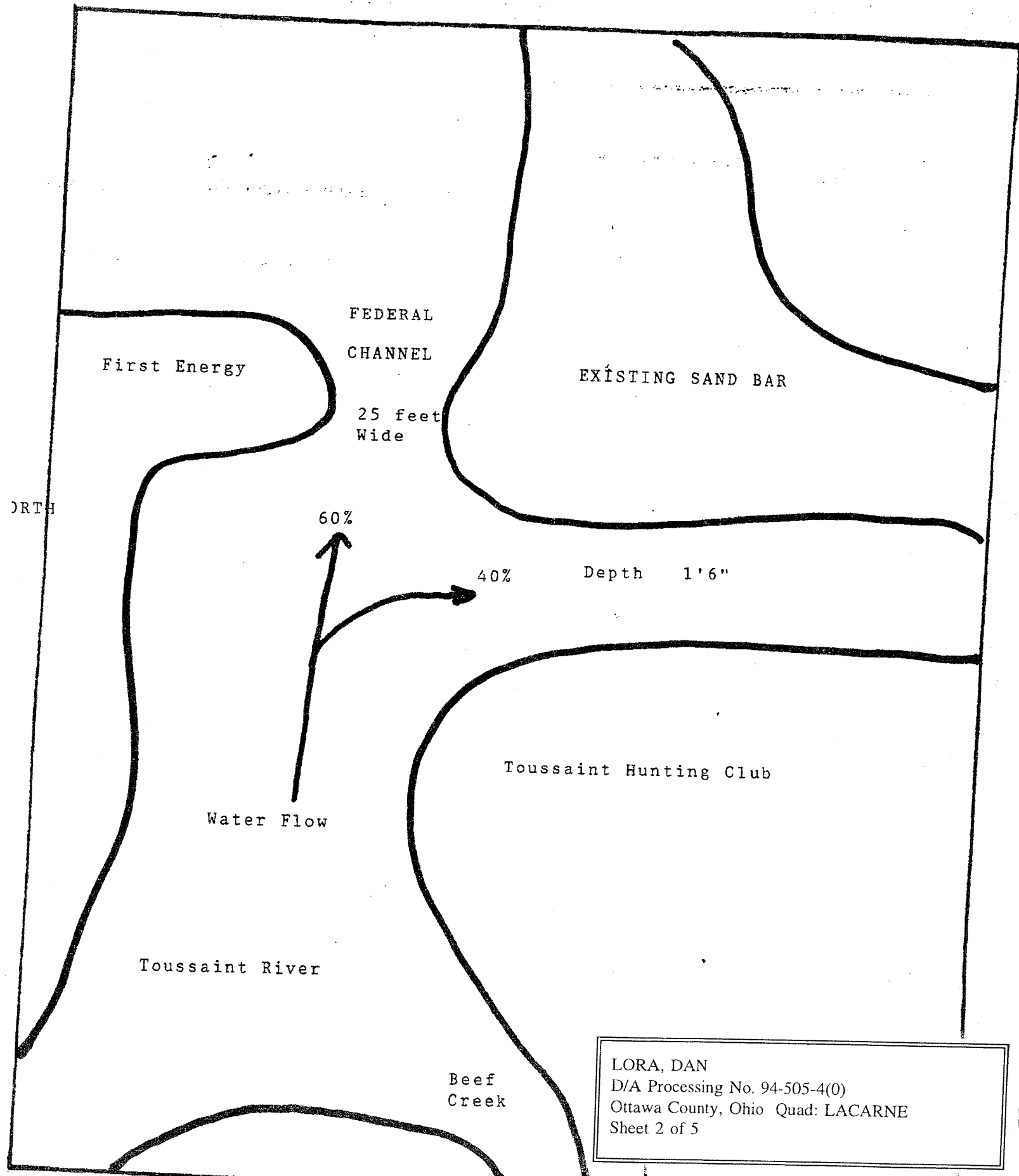
SARA BNF
Proposed Location

LORA, DAN
D/A Processing No. 94-505-4(0)
Ottawa County, Ohio Quad: LACARNE
Sheet 1 of 5

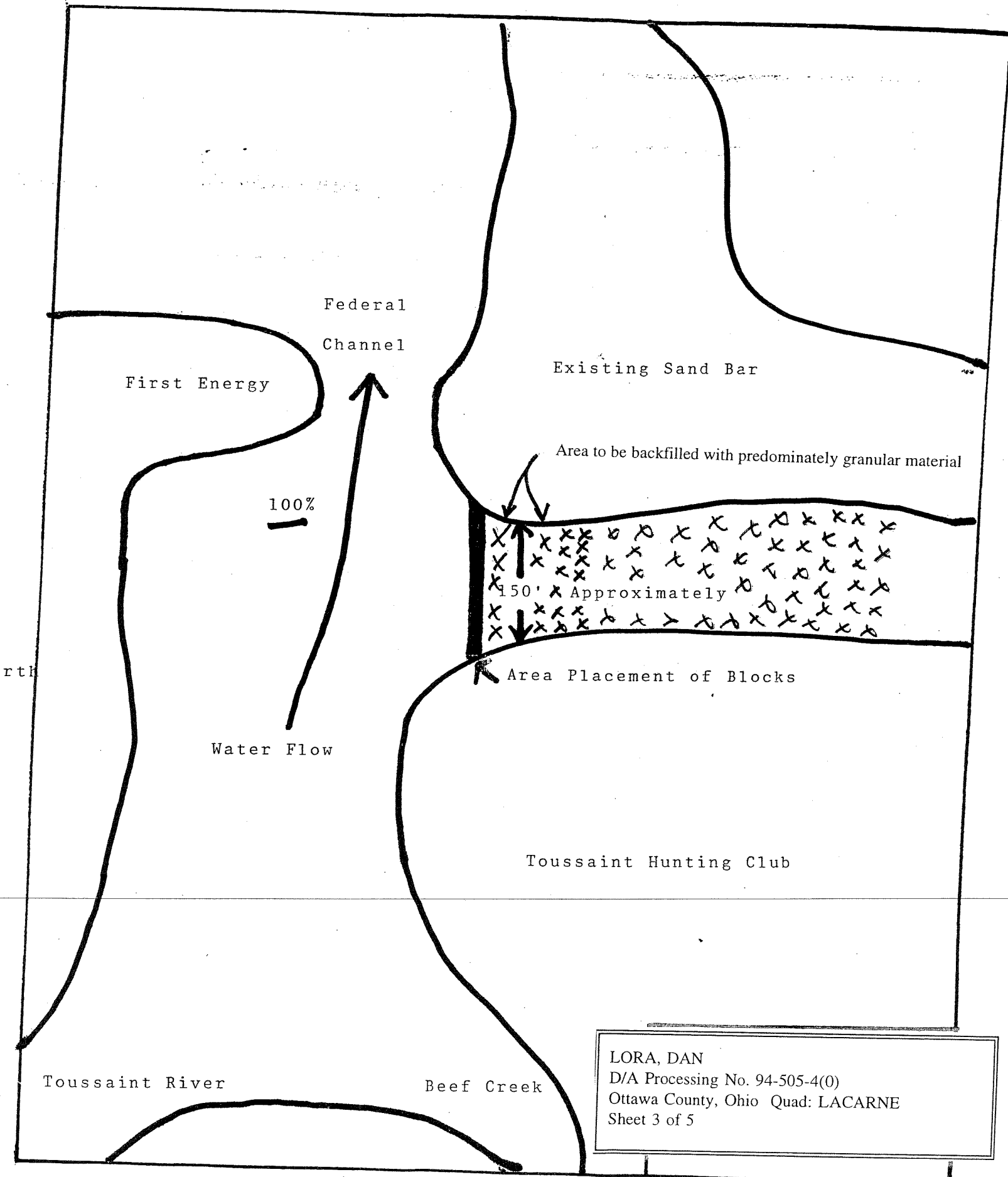
PLAIN VIEW

Map-- A

EXISTING - 3-28-02

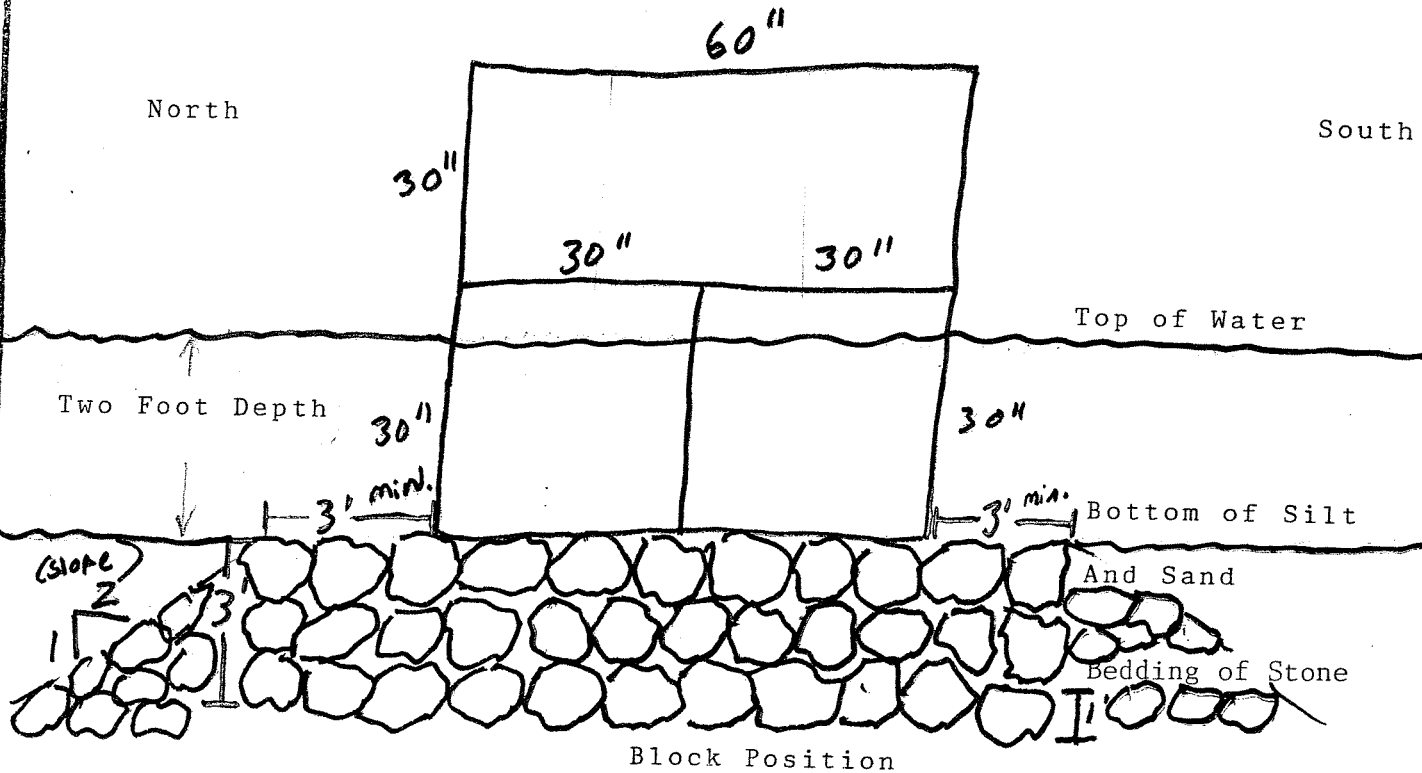


Proposed 3-28-02



End View Facing East

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Cement Block

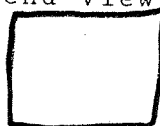
1. 30" X 30" X 60"
2. Approximate Weight - 3000 lbs.
3. Hooks imbedded in concrete to lift blocks

West

side view

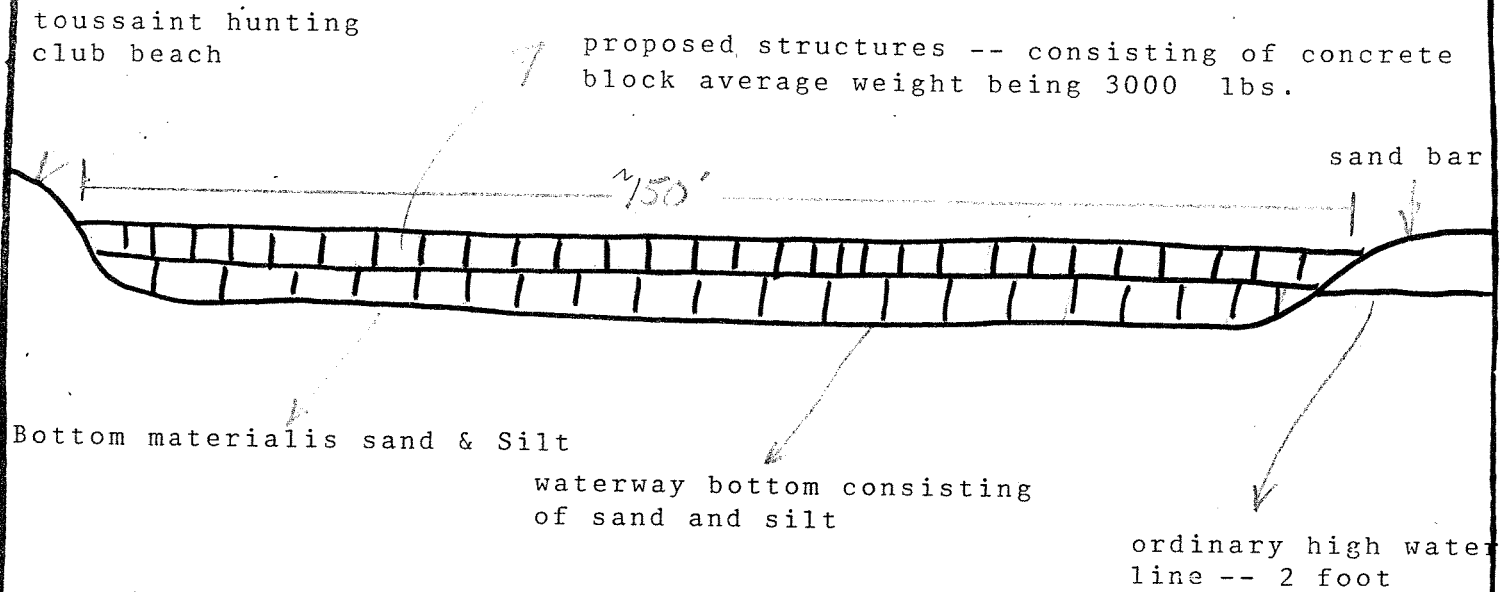


end view



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 Sheet 4 of 5

Cross Section of Wall



For this temporary block structure the fill around wall would consist of sand and silt obtained from nearby channel.

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Sheet 5 of 5

6/15/02